

### **REMARKS**

The claims have been amended to recite in the body that the dye-containing composition is a dye-containing curable composition, rather than simply reciting a dye-containing curable composition in the preamble. Claims 19 and 20 have been added including a recitation of X encompassing the allowable elected species.

Entry of the above amendment is respectfully requested.

#### **Allowable Elected Species**

On page 2 of the Office Action, in paragraph 2, the Examiner indicates that the his search for the elected species determined that it is allowable over the prior art, so the search was expanded to the non-elected species.

Applicant thanks the Examiner for indicating that the elected species is allowable. In view of the remarks set forth below, Applicant submits that the non-elected species are also allowable and that the application is in condition for allowance as a result.

#### **Art Rejection**

On page 2 of the Office Action, in paragraph 3, claims 1-5 and 7-18 are rejected under 35 U.S.C. 102(a) as being anticipated by JP 2002-228831 (JP '831).

#### **Applicant's Response**

The Examiner's position is that JP '831 discloses colored resin composition for use in a color filter comprising a monoazo dye having a cation derived from an organic amine, wherein

the cation is exemplified as  $\text{H}_2\text{N}(\text{CH}_2)_6\text{NH}_3^+$ . In this regard, the Examiner refers to the abstract and the dye structures of paragraphs [0030] and [0056] in JP '831.

### **Applicant's Response**

In response, Applicant submits that the present invention is not anticipated by JP '831, since the composition of JP '831 is not a curable composition. Rather, the composition of JP '831 is a composition of thermoplastic resin colored with a coloring agent, as described in claim 11 of the reference. In particular, as set forth in the attached Declaration, claim 11 of JP '831 recites "a laser light transmitting colored resin composition comprising a thermoplastic resin colored by the coloring agent for a laser light transmitting colored resin composition of any one of claims 1 to 10". Therefore, Applicant submit that the composition of JP '831 is not a curable composition, and thus neither teaches nor suggests the present invention.

Accordingly, Applicant submits that the present invention is not anticipated by (or obvious over) JP '831, and withdrawal of this rejection is respectfully requested.

### **Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 10/606,185

Attorney Docket No. Q76022

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

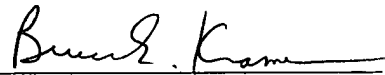
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**23373**

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